

TOWN BOARD MEETING
 WEDNESDAY, NOVEMBER 2, 2011; 7:00 P.M.
 NEW WINDSOR TOWN HALL
 NEW WINDSOR, NEW YORK

BOARD MEMBERS PRESENT: Supervisor Green, Councilwoman Mullarkey, Councilwoman Biasotti, Councilman Lundstrom

OTHER OFFICIALS PRESENT: Comptroller Finnegan, Deputy Police Chief Hovey, Town Attorney Blythe, Highway Superintendent Fayon, Assessor Wiley

ABSENT OFFICIALS: Councilwoman Weyant

Supervisor Green called to order the Town Board meeting and presided over same.

#1 On Agenda: Motion - Approve Minutes

Motion by Councilwoman Mullarkey, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor approve the minutes of the Public Hearing on a Local Law to Override Tax Levy Limit and Town Board meeting both held on October 5, 2011 as per the copies posted on the Town Clerk's bulletin board in Town Hall, and same distributed to each of the Town Board members.

Roll Call: All Ayes

Motion Carried: 4-0

UNFINISHED BUSINESS
HIGHWAY DEPARTMENT

#2 On Agenda: Receive And File Bids For Used Town Vehicles

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk the bids received and publicly opened on October 26, 2011 for used town vehicles.

#3 On Agenda: Motion - Award Bids For Used Town Vehicles

Motion by Councilwoman Mullarkey, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor award bids for the following used Town vehicles totaling \$1,428.98 to Liberty Motors, 1705 Kennedy Blvd., Jersey City, New Jersey 07305:

1985 International Stake Body VIN# 1HTLAHEM5FHA20183

1996 Chevrolet One-Ton Dump VIN# 1GBHK34RXTE160714

Payment shall be made by cash, certified check or bank check, made payable to the "Town of New Windsor."

Roll Call: All Ayes

Motion Carried: 4-0

WATER DEPARTMENT
SANITATION DEPARTMENT
GENERAL

#4 On Agenda: Motion - Authorize Levying of Unpaid Water/Sewer/Garbage Charges

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor adopt the following resolution:

WHEREAS, the Supervisor of the Town of New Windsor on November 2, 2011 transmitted to this Board a statement of unpaid water, sewer and Beaver Dam garbage charges filed with the Town Clerk on November 2, 2011 containing a brief description of the property on which water, sewer and Beaver Dam garbage charges are unpaid, and the names of persons or corporation liable to pay the same, and the amount chargeable to each;

NOW BE IT RESOLVED, that there be levied on the 2012 Tax Roll of the Town of New Windsor against the properties set forth in said statement, and the unpaid water, sewer and Beaver Dam garbage charges so transmitted to the Board, and that the amount thereof be set forth as Unpaid Utilities on the 2012 Tax Roll for a total of \$655,198.21;

BE IT FURTHER RESOLVED, that the amount so levied shall be placed in the warrant of the County Legislature issued to the Tax Receiver of said Town in the same manner as general taxes are levied and collected, and shall be like lien as general taxes until the amount thereof is paid.

Roll Call: All Ayes

Motion Carried: 4-0

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#5 On Agenda: Motion - Authorize Supervisor to Execute Agreement For Nuisance Wildlife Control

Motion by Councilwoman Mullarkey, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor authorize the Supervisor to execute an Agreement between the Town of New Windsor and Richard Krol to provide nuisance wildlife control at the New Windsor Landfill for a cost not to exceed \$1,300.00. Said Agreement is effective from January 1, 2012 to December 31, 2012.

Roll Call: All Ayes

Motion Carried: 4-0

#6 On Agenda: Receive and File Notice of Claim - State Farm

Hearing no objection, the Town Board of the Town of New Windsor receive and file Notice of Claim in the matter of State Farm Fire and Casualty Insurance Company against Town of New Windsor as the result of an incident which occurred on October 2, 2011.

#7 On Agenda: Receive and File Bill of Sale - Cherry Valley Builders, Inc.

Hearing no objection, the Town Board of the Town of New Windsor receive and file Bill of Sale from Cherry Valley Builders, Inc., for certain pipes, sewer manholes and related structures constituting the sewer main as same currently exists within the private road commonly known as Stella Way.

#8 On Agenda: Receive and File Bids - STP Influent Line Installation Project

Hearing no objection, the Town Board of the Town of New Windsor receive and file sealed bids received and publicly opened on September 9, 2011 for the STP Influent Line Installation Project.

#9 On Agenda: Motion - Award Bid - STP Influent Line Installation Project

Motion by Councilwoman Mullarkey, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor award the bid for STP Influent Line Installation Project to Argenio Brothers, Inc. in the amount of \$134,900.00 per bids received and publicly opened September 9, 2011.

Roll Call: All Ayes

Motion Carried: 4-0

#10 On Agenda: Receive and File Developer's Agreement - Ridge Rise

Hearing no objection, the Town Board of the Town of New Windsor receive and file Developer's Agreement between Four Chai, LLC and Town of New Windsor dated October 25, 2011 for the project known as Ridge Rise.

#11 On Agenda: Receive and File Complaints - Von I. Ross

Hearing no objection, the Town Board of the Town of New Windsor receive and file Complaints in the matter of Von I. Ross v. Town of New Windsor.

#12 On Agenda: Officials' Reports

The following reports were received, recorded and filed with the Town Clerk:

Building Department	Month of September 2011
Fire Prevention	Month of September 2011
Justice Court - Richard W. Thorpe	Month of October 2011
Justice Court - Noreen Calderin	Month of October 2011
Police Department	Month of October 2011
Recreation Department	Month of October 2011
Tax Receiver - Water / Sewer/ Garbage	Month of October 2011
Town Clerk	Month of October 2011

#13 On Agenda: Public Forum

Supervisor Green asked anyone on the Board if they had any comments and then opened the public forum to anyone who wished to speak.

A resident asked when we would be going back on the aqueduct and the Supervisor said he had no idea when we would be allowed to switch back. He said that the water quality is fine but there is a tanker truck parked by the police station for anyone who wants to draw water. Another resident asked why the town doesn't dig more wells and the Supervisor said that other groundwater sources are being explored and hopefully within one or two years the Town will be completely independent from New York City.

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A resident from Butterhill said he is concerned about there only being two entrances into their development now that Butternut Drive is closed and wanted to know if the Supervisor could push the Army Corps of Engineers into building another temporary exit on Butternut until permanent repairs are made. The Supervisor said that a repair of that side of the bank would probably be about \$4 million dollars with 12.5% of that money coming from Town funds and 75% being provided by FEMA if they approve the project, the remainder is provided by the state. He said the Town cannot afford to put up that amount of money right now. He said he is meeting with FEMA on Friday morning to go over the situation and that is our first meeting with them since this happened. The resident also asked about having a traffic light installed at the Butterhill Road-Route 94 entrance.

The Supervisor asked if there were any streetlights working in that area and someone said the streetlights are not working and everyone leaves the outside house lights on so it is not completely dark. The New Windsor Police Department was also complimented for doing a fantastic job on Halloween.

Another resident said that there are hundreds of thousands of people living here and the supervisor said that the town population is about 26,000 people. He then asked why everyone's taxes can't be raised another twenty dollars to repair their road and wanted to know where our tax dollars are going and why the Town hasn't budgeted to do these emergency repairs. The Supervisor said that he just went over that in the budget public hearing. The resident asked about funds set aside for emergencies and the Supervisor said there are no funds set aside for emergencies and the Town is operating under a 2% tax cap. The resident said it is the town's job to make sure the road is fixed and the Town either needs to make FEMA do the repairs or do the repairs themselves. The Supervisor said the Town does not have the funds to do the repairs. The resident asked who is taking care of Route 9W. The Supervisor said that FEMA will take care of those repairs. The Supervisor said he is just as impatient as the Butterhill residents are but he has been waiting for three months to hear from them. Supervisor Green said he is telling them the truth exactly as it is and the Town does not have the funds for the repairs and will probably never have the funds to do those repairs themselves. The resident said that as a citizen and taxpayer, he has every right to demand things. The Supervisor said that you do have the right to demand things and the area is fenced off, the police department is frequently down there and if there are any problems, you just have to pick up the phone and call. One resident said they frequently have to fix the fence down there and the Supervisor said that the residents do not have to fix the fence, just call and someone will be sent down to do repairs.

Supervisor Green said they are doing the best they can, he said he has no answers and he can't answer for FEMA. A resident asked why Senator Schumer hasn't come and the Supervisor said he has tried calling many times, and his office doesn't return phone calls and if you want to know why he doesn't return calls, you would have to ask him. Mr. Kopman said he went to FEMA to apply for a small business loan and heard about a mitigation plan and wanted to know if the Town filed that plan yet and how it would affect his home and Butternut Drive. Supervisor Green said that would be part of the discussion on Friday with FEMA. He said any projects that FEMA approves will not be started before winter is over.

Someone asked if a worst case scenario study had been done and the Supervisor said such a study has not been done as far as he knows. The engineer's opinion is that the bank will slowly continue to erode. A resident asked why the Town allowed this development to be built. Supervisor said it was many years ago that the Planning Board approved it. Someone said they received an email on her cell phone from Congresswoman Hayworth's office saying she is was able to get an award of \$2.65 billion for her district and the Supervisor said he has never heard a word about it although he will call her office and check it tomorrow and asked if a copy could be forwarded to him. The resident said she would email the correspondence from her cellphone to the Supervisor. A resident asked what the plan for snow removal on Butternut Drive is. Superintendent Fayo said the snow would have to be loaded onto small trucks and hauled away. Supervisor Green said he will look into getting a traffic light at the Route 94 entrance to Butterhill Estates.

Mr. Kopman asked what his responsibility was towards his house and what was the town's or the state's responsibility. Supervisor Green said that if it looks like it is going to go over, after discussing it, the Town would probably take the house down however he is hoping that the bank can be restored.

A resident asked if updates could be posted on the website of how things are going in Butterhill especially after Friday's meeting with FEMA. He said they come to board meetings but it is difficult to get news only once a month. Supervisor Green said it is easier for him to drive to Butternut and speak to residents in person than to keep posting to the website.

Someone asked about the status of Forge Hill Bridge and the Supervisor said there really is no status to speak of as the debris still hasn't been cleaned up and that probably won't be started until next spring.

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Supervisor Green said that the New Windsor Post Office has been removed from the closure list.

Hearing no one else wishing to speak, Supervisor entertained a motion to close the Public Forum.

Motion by Councilwoman Mullarkey, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor close the Public Forum portion of the meeting.

Roll Call: All Ayes

Motion Carried: 4-0

#14 On Agenda: Adjourn

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor adjourn the Town Board meeting at 8:30 P. M.

Roll Call: All Ayes

Motion Carried: 4-0

Respectfully submitted,

DEBORAH GREEN
TOWN CLERK

/clc